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J1130 U.S. PTO

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PATENT  
ATTY DOCKET NO SAA-5-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re New U.S. Divisional Patent Application of:) Prior Application:  
Swales et al. ) Application No. 09/804,362  
Mailed: November 26, 2001 ) Filed: March 12, 2001  
 ) Art Unit: Unknown  
For: MESSAGING APPLICATION LAYER )  
OVER ETHERNET TO TRANSPORT LAYER ) Examiner: Unknown  
(TCP) COMMUNICATIONS METHOD AND )  
APPARATUS FOR A MODULAR TERMINAL )  
INPUT/OUTPUT SYSTEM )

Jc760 U.S. PTO  
10/003123  
11/26/01

ET 367086284 US

**DIVISIONAL PATENT APPLICATION**  
**TRANSMITTAL FILING UNDER 37 C.F.R. '1.53(b)**

Box Patent Application  
Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a divisional application of pending prior Application Serial No. 09/804,362, under 37 C.F.R. ' 1.53(b). The parent application was filed on March 12, 2001, by Applicants Andrew G. Swales, Allan Tanzman and A. Dean Papadopolous, and is similarly entitled MESSAGING APPLICATION LAYER OVER ETHERNET TO TRANSPORT LAYER (TCP) COMMUNICATIONS METHOD AND APPARATUS FOR A MODULAR TERMINAL INPUT/OUTPUT SYSTEM.

**Benefit of Prior U.S. Application**

The attached divisional application being transmitted claims the benefit of a prior U.S. application, as indicated below.

**Papers Enclosed**

In accordance with 37 C.F.R. ' 1.63(d), the specification filed herewith contains no new matter. Accordingly, a copy of the executed Declaration and Power of Attorney from the parent application (U.S. Application No. 09/804,362) is submitted herewith.

The papers attached are as follows:

400342443604

18 pages of Specification.  
5 pages of Claims.  
1 page of Abstract.

### Additional Papers Enclosed

A Preliminary Amendment is also attached, requesting cancellation of claims 1-10 before examination.

A copy of the original Assignment filed in the prior U.S. Application is also submitted herewith.

### Declaration or oath (including power of attorney)

As previously stated, a copy of the executed Declaration and Power of Attorney filed in the prior U.S. application (Application No. 09/804,362) is submitted herewith, in accordance with 37 C.F.R. ' 1.63(d).

### Inventorship Statement

The inventorship for all the claims in this application is the same as that for the parent application.

### Fee Calculation (37 C.F.R. ' 1.16)

The filing fee has been calculated as shown below:

			Small Entity		or	Other Than A Small Entity	
For:	No. Filed	No. Extra	Rate	Fee		Rate	Fee
Basic Fee				\$370	or		\$740
Total Claims	21 - 20 =	1	x 9 =	\$	or	x 18 =	\$18
Indep. Claims	2 - 3 =	0	x42 =	\$	or	x 84 =	\$0
9 First Presentation of Multiple Dependent Claim			x140 =	\$0	or	x280=	\$0
			Total	\$	or	Total	\$758

The Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 19-3875(SAA-5-2) for the following fees associated with this

communication and during the entire pendency of the Application (a duplicate copy of this sheet is attached).

X Any additional filing fees under 37 C.F.R. ' 1.16(a), (f) and (g).

X Any filing fees under 37 C.F.R. ' 1.16(b), (c) and (d) for presentation of extra claims.

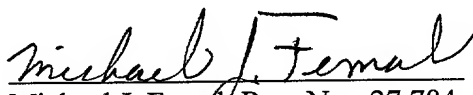
X Any patent application processing fees under 37 C.F.R. ' 1.17.

**Relate Back--35 U.S.C. 120**

As required under 35 U.S.C. 120, the Specification of the attached application includes the following specific reference to the earlier filed parent application:

This Application is a divisional of co-pending Application Serial No. 09/804,362 filed March 12, 2001, upon which a claim of priority is based.

Please address all future communications to:

  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of )  
Swales et al. )  
 )  
Application No. 09/804,362 ) Group Art Unit 2182  
 )  
Filed: March 12, 2001 ) Examiner: Chun Cao  
 )  
For: MESSAGING APPLICATION LAYER )  
OVER ETHERNET TO TRANSPORT LAYER )  
(TCP) COMMUNICATIONS METHOD AND )  
APPARATUS FOR A MODULAR )  
TERMINAL INPUT/OUTPUT SYSTEM )

Commissioner For Patents  
Washington, D.C. 20231

**NOTIFICATION OF FILING OF DIVISIONAL APPLICATION**

Notification is hereby being made of the filing of a Divisional Application for this case  
concurrently herewith.

  
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